



PTO/SB/31 (08-00)

Approved for use through 10/31/2002 OMB 0651-0031  
Patent and Trademark Office; U S DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays  
a valid OMB control number

*IFW  
CHAP*

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) P-4739-US
In re Application of MOUTSATSOS, Ioannis et al		
Application Number 09/148,234		Filed September 4, 1998
For GENETICALLY ENGINEERED CELLS WHICH EXPRESS BONE MORPHOGENIC PROTEINS		
Group Art Unit 1636	Examiner	SANDALS, William O.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated, June 15, 2004, rejecting the following claims:

24-28

The fee for this Notice of Appeal is (37 CFR 1.17 (b))		\$ 340
<input checked="" type="checkbox"/> Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$ 170</u>		
<input type="checkbox"/> A check in the amount of the fee is enclosed		
<input type="checkbox"/> Payment is by credit card Form PTO-2038 is attached.		
<input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.		
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>05-0649</u> I have enclosed a duplicate copy of this sheet.		
<input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- applicant.  
 assignee of record of the entire interest.  
 attorney or agent of record.  
 attorney or agent acting under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a)

\_\_\_\_\_  
Signature  
Name: Mark S Cohen Reg. No. 42,425  
\_\_\_\_\_  
Typed or printed name

Eitan, Pearl, Latzer & Cohen Zedek, LLP.  
10 Rockefeller Plaza  
Suite 1001  
New York, New York 10020  
Tel: (212) 632-3480  
Fax: (212) 632-3489

November 24, 2004

\_\_\_\_\_  
Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

11/26/2004 MGBREM1 00000090 050649 09148234

01 FC:2401 170.00 DA